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From: Coleman, James
Sent: Wed 9/14/2016 4:43:50 PM
Subject: IDEM SRF review - CWA NPDES
IDEM SRF File Selections -Final.xlsx

Hi Martha,

US EPA Region 5 Water Enforcement and Compliance Assurance (WECA) is prepared to conduct an IDEM state program review in accordance with the national state review framework (SRF Round 3). The review will assess IDEM performance in administering the federal environmental programs delegated to IDEM under federal law. As part of this review, we will also evaluate whether the outstanding findings from Round 2 have been addressed. This email describes the plan, timeline and information needed to conduct a thorough CWA NPDES SRF review.

Utilizing the SRF file selection tool, Region 5 WECA obtained a representative sample of 35 facilities across the NPDES universe to review. Please find attached a list of the facilities selected for program evaluation under this review. In order to conduct an effective review, Region 5 will review EPA SRF data metric reports, information and documents in the state's possession, such as inspections, violations and enforcement actions that are available on IDEM's virtual file cabinet (VFC). To perform a complete review Region 5 will also need to know what additional enforcement and compliance assurance information (i.e. penalty calculations, compliance assistance, citizen complaints, etc.) is not available on the VFC, but pertinent to program operation. Therefore, the following information, if available should be provided to Region 5 to assist the evaluation process.

- Please submit a list and copies of the current state program compliance and enforcement SOPs, LCTP SOPs, ERPs, work plans and penalties policies, including penalty calculation procedures.

It is important to note, EPA Region 5 received an Indiana Surface Mining Petition in 2009, which included compliance and enforcement allegations. Therefore, to maximize agency resources, EPA Region 5 WECA will use this opportunity to help inform our petition response. For example, the file reviews include mine files inspections and follow-up actions to ensure adequate quality and documentation and consistent enforcement was accomplished. As a result, the information below is also requested.

- Please submit Spill Response Plans for mining operations on the list; to include any written protocol, procedures and guidance used by IDEM in addressing spills that have specifically occurred and/or been reported to have occurred at any permitted surface coal mine.

- Please submit written SOPs, guidance and steps taken to address complaints regarding permitted surface coal mine facilities.

With respect to the SRF, the proposed schedule for conducting the file reviews and developing a draft and final report has been tentatively established. Region 5 WECA has begun reviewing some of the compliance and enforcement documents listed above using IDEM's VFC for selected facilities. Currently, the plan is to complete the file review in the month of October 2016. To meet our timeframes, the Region requests IDEM provide the information listed above by September 30, 2016. We anticipate that a draft report will be developed after the file reviews have been completed and a final report produced by the end of December 2016. EPA will share the draft report with IDEM for any comments and written responses. If there are any program issues or inconsistencies identified, Region 5 will work with IDEM to propose actions for improvement in the draft and final SRF reports and to track the implementation and resolution. Please note an on-site visit will be scheduled if information pertinent to the review is not available electronically and/or direct communication becomes necessary. Please let us know at your earliest if you can provide the information requested and if you have any overall questions, concerns or would like to have a conference call to discuss.

Thank you very much.

James Coleman, Information

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